

Applicant : Bhanjois, et al.
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Attorney's Docket No.: 07575-034001 / P01-1916.01

REMARKS

To expedite prosecution, the applicant has amended claims 1, 4, 11, 14, 21, 24 and 31. Claims 2-3, 12-13, 22-23 and 32 have been cancelled. The independent claims have been amended to incorporate the limitations of their respective cancelled dependent claims.

Claims 1, 4-11, 14-21, 24-31 and 33 are pending in the application. The applicant respectfully requests reconsideration in view of the amendments to the claims and the following remarks.

I. The § 102/103 Rejections

Claims 1-3, 6-13, 16-23 and 26-30 were rejected as being anticipated by U.S. Patent No. 5,742,825 ("Mathur").

Claims 4, 14 and 24 were rejected as being unpatentable over Mathur.

Claims 5, 15, 25 and 31-33 were rejected as being unpatentable over Mathur in view of U.S. Patent No. 5,485,579 ("Hitz").

Claim 1 has been amended to include the limitations of claims 2 and 3, and recites a non-preemptive microkernel executing two or more processes in accordance with a non-preemptive scheduling scheme. Claim 1, as amended, recites that a time-sliced operating system or a time-sliced microkernel is executed as a process by the non-preemptive microkernel.

In rejecting claim 3, the Examiner cites col. 15, line 59 – col. 16, line 9 of Mathur as disclosing a time-sliced operating system or a time-sliced microkernel being executed as a process of a non-preemptive microkernel. The applicant respectfully disagrees.

In the cited portion, Mathur discloses an office machine OS kernel 40 that executes processes preemptively (col. 15, ll. 65-67; col. 16, ll. 7-9). Processes executed by the office machine OS kernel 40 include a "system" process and one or more background processes (col. 16, ll. 7-9). Processes within the "system" process are executed non-preemptively (col. 16, ll. 5-7). Background processes are executed preemptively (col. 12, ll. 51-53). While Mathur may disclose non-preemptive kernel ("system process") executed as a process by a preemptive kernel (office machine OS kernel 40), and a preemptive kernel (background processes) executed as a

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process by a preemptive kernel (office machine OS kernel 40), Mathur clearly does not disclose a time-sliced operating system or a time-sliced microkernel being executed as a process of a non-preemptive microkernel.

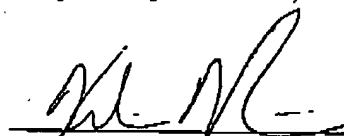
Claims 4-10 depend from claim 1 and are allowable for at least the same reasons that apply to claim 1.

Claims 11, 21 and 31 each recites limitations similar to those of claim 1. Claims 11, 21, and 31 (and the claims that depend therefrom) are also allowable for at least the same reasons that apply to claim 1.

The applicant respectfully submits that the claims are in condition for allowance. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 10-12-04



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